IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.12447 of 2005

Dated: April 11, 2007

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Between:

Ms. Vinjamuri Madhavi, D/o. Vinjamuri Venkateswarulu,
Hindu, aged about 20 years, R/o. H.No.42-2/1-149/A,
3rd Cross, First Lane, Devinagar, Vijayawada-3.

… Petitioner

And

Nagarjuna University, rep. by its Registrar,
Guntur, and others.

… Respondents

Order:

This Writ Petition has been filed seeking Mandamus to declare the action of respondents 1 to 3 in not properly valuing petitioner's answer script relating to Statistics Paper-III of B.Sc. Final year as arbitrary and illegal and a consequential direction to the respondents to send the aforesaid answer script to any other professor/lecturer of any university for revaluation.

2. Facts of the case in brief are:

Petitioner appeared for B.Sc. III year examinations in March 2005, wherein there were six subjects in all. She secured the following marks. Maths – 150 out of 150, Computer Science III – 89 out of 100, Maths IV, Numerical Analysis – 148 out of 150, Statistics IV – 93 marks out of 100, Computer Science IV – 65 out of 100 and Statistics III – 48 out of 100. Dissatisfied with the marks she secured in Statistics III, she applied to the respondents for revaluation; however, she was informed that there was no change in the marks she secured earlier even after revaluation. The case of the petitioner is that she has applied for a photocopy of her answer script in Statistics III and has shown it to different professors, who opined that she should have been awarded atleast 95 marks. The grievance of the petitioner is that that though she has fared well in the said examination and was quite confident that she would secure 95 marks out of 100, but to her dismay, only 48 marks were awarded.

3. Heard learned counsel for the petitioner and learned Standing Counsel appearing on behalf of the respondents.

4. Respondents 1 to 3 have filed counter affidavit stating that petitioner has applied for revaluation in Statistics III, in which she secured 48 marks. It is stated that revaluation was done in the said subject and as per the academic regulations, the answer script was sent for revaluation to an outside examiner/valuer without disclosing the marks originally awarded to her; however, even after revaluation, there was no change in the marks originally awarded to her. The only change that was found in the revaluation was that marks awarded to the petitioner to differed from question to question, but the total remained unchanged. It is further stated that as per the academic regulations, if there is difference of 16% marks between original

valuation and revaluation, only then, the answer script would be sent to second

re-valuation (3rd examiner) and in such cases, the average of higher two valuations would be taken in awarding marks.

5. Though it is the case of the petitioner that she has fared well and some professors have told her that she was to be awarded at least 95 marks out 100 in Statistics III paper, it is to be seen that because the petitioner was expecting 95 marks out of 100 in the said subject and she did not secure such marks, it cannot be said that the valuation is illegal or arbitrary. As per the request of the petitioner, her answer script was sent for revaluation to a separate valuer, pasting a slip on the original marks awarded to her so that the revaluer does not know the original marks warded to her. Even in the revaluation, no change was found in the original marks awarded to her, i.e. 48 marks have been awarded to her in revaluation also. Though marks awarded from question to question have differed, but the total remained same. It is to be noted that valuation of answers differs from person to person, more so in questions of theory type. It is to be seen that expectation of students is not the criterion for awarding marks. It is for the examiners, who are experts in the field, to look into a particular answer and make their own assessment for awarding marks, having regard to the nature of question and the way in which students answer it. Respondents have sent the answer script of the petitioner for revaluation and no change was found in the original marks awarded to her. Hence, it cannot be said that the answer script of the petitioner was not properly revalued. Respondents have averred in the counter affidavit that unless there difference of 16% of marks between original valuation and revaluation, the answer script will not be sent to second re-

valuation (3rd examiner) as per the academic regulations. In that view of the matter, no direction can also be given to the respondents to send the answer script of the petitioner to any other professor/lecturer. No relief as sought for can be granted.

6. The Writ Petition is devoid of merits and is accordingly dismissed. No costs.

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JUSTICE R. SUBHASH REDDY.

April 10, 2007
MRR